

Wildlife Restoration/Hunter Education Advisory Team



Advisory 2020-017: Funding Mobile Applications

July 7, 2020

May a State charge costs to a WSFR grant that are associated with developing and maintaining a mobile application?

Terms:

Advertising: The term advertising costs means the costs of advertising media and corollary administrative costs. Advertising media include magazines, newspapers, radio and television, direct mail, exhibits, electronic or computer transmittals, and the like (2 CFR 200.421(a)).

Marketing: Costs of selling and marketing any products or services of the non-Federal entity (unless allowed under §200.421 Advertising and public relations.) are unallowable, except as direct costs, with prior approval by the Federal awarding agency when necessary for the performance of the Federal award (2 CFR 200.467).

Public relations: The term “public relations” includes community relations and means those activities dedicated to maintaining the image of the non-Federal entity or maintaining or promoting understanding and favorable relations with the community or public at large or any segment of the public (2 CFR 200.421(c)).

Discussion: The Advisory Team understands the value in using new and evolving technology and better forms of communication to engage with hunters, anglers, and the general public on topics related to managing fish and wildlife resources and recreational opportunities. Applications can be used for two-way communication, allowing the opportunity for the public to provide content back to the agency. We concur that some costs associated with developing, making available, and maintaining mobile applications are eligible.

However, costs must be identified as supporting an eligible activity and a State must demonstrate how eligible and ineligible costs will be properly allocated to funding sources. Of primary consideration, any portion of an application related to license sales (or any other purpose that is associated with the primary purpose of producing revenue) or law enforcement cannot be funded using WSFR grants. This includes access to a hunting or fishing license (including permits, stamps, access passes, etc.) on an application.

A State describing the activities associated with an application must be clear about what each activity associated with the application is intended to accomplish and how they support objectives of the grant. Please review the definition of “public relations” as described in 2 CFR 200. Note that “public relations” is focused on promoting the agency and a State must receive prior approval from WSFR and demonstrate that it is necessary for the performance of the Federal award. If the activity is truly public relations promoting the agency (e.g., Making It Last campaign, media messages that promote the accomplishments of the agency, annual reports, social media that is intended to promote the

agency, etc.), it will be difficult for a State to demonstrate it is needed for the performance of the Federal grant. However, advertising, marketing, and other forms of communication that directly relate to the objectives of the grant may be allowable. Consider what it is that you are trying to accomplish. Activities such as getting messages to the public or a target audience to support access to outdoor recreational opportunities, gathering human dimensions information, providing tide calendars, alerting on water quality issues, advising on how to respond to encounters with bears or snakes, etc. are not public relations and should be called something else when discussed in the grant.

Advisory: Yes, costs associated with mobile applications, when necessary and reasonable to support objectives of the funding source may be considered eligible using funds at:

16 U.S.C. 669c(b) (Traditional Wildlife Restoration)

16 U.S.C. 669c(c) (Basic Hunter Education or R3)

16 U.S.C. 669h-1 (Enhanced Hunter Education/R3)

Costs for any component of the application that is associated with licenses, producing income, or law enforcement are not eligible using any of the funding sources.

Costs must be properly allocated between eligible and ineligible uses/activities and between funding sources. For example, costs associated with R3 should be allocated to 16 U.S.C. 669c(c) or 16 U.S.C. 669h-1, costs associated with fishing must be charged to the applicable Sport Fish Restoration funding source, etc.